UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United State	es of America			
	v.)		
Damion Miller a/k/a "D-Moe") Case No:	3:05CR339-04	
) USM No:	21525-058	
Date of Original Judgment:	April 13, 2007	.)		
	September 16, 2008)		
Date of Last Amended Judge	ment: (SEALED)) Ross Richard		
		Defendant's At	torney	
Order Rega	arding Motion for Sentence F	Reduction Pursu	ant to 18 U.S.C. § 3582(c)(2)	
§ 3582(c)(2) for a reduction subsequently been lowered a § 994(u), and having conside	in the term of imprisonment in and made retroactive by the Un	nposed based on a ited States Senter ito account the po	of Prisons the court under 18 U.S.C. a guideline sentencing range that has acing Commission pursuant to 28 U.S.C. blicy statement set forth at USSG §1B1.10 at they are applicable,	
IT IS ORDERED that the n	notion is:			
■ DENIED. □ (■ DENIED. □ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of is reduced to			
I. COURT DETERMINA' Original Offense Level: Criminal History Category: Original Guideline Range:	TION OF GUIDELINE RAN 42 III 360 months to life	Amended Of Criminal His	-	
☐ The reduced sentence is v ☐ The previous term of imp of sentencing and the red ☐ The reduced sentence is a ☐ Other (explain): Due to a guideling	uced sentence is comparably le above the amended guideline ra the cross-reference to §2A1.1 (ange. an the guideline r ss than the amend inge. First Degree Mur	range applicable to the defendant at the time ded guideline range. der) in Count One, there is no change in the 750 provides no change in the guideline	
to a Drug Trafficking Crir	onvicted in Count Two of Usine and Causing the Death of	f a Person Throu	ossess a Firearm During and in Relation agh Use of a Firearm and Aiding and to Count One of this Indictment.	
Except as provided above, al	ll provisions of the judgment de	ated April 13, 2	shall remain in effect.	
IT IS SO ORDERED.				
Order Date: <u>February 1</u>	4, 2012	67	ianh Thither	
Effective Date: (if different	from order date)		D. Whitney States District Judge	